

HELINGTON PARISH COUNCIL

Minutes of the meeting held on Wednesday 7 September 2016 in the Helington and Brigsteer Village Hall at 7.30 pm

Present: Cllrs A Davies, (Chairman), B Mansbridge, S Carman, R Park, K Ritchie, S Savasi and J Seddon.

Also present were County Cllr J Bland, Ms J Saunders (Clerk) and 17 members of the public.

Before the commencement of the formal Council meeting, Paula Allen, LDNPA Strategy Planner, spoke about the Local Plan Review.

42/16 Apologies

District Cllr A Rawlinson.

43/16 Declarations of Interest / Dispensation Requests

None.

44/16 Minutes

An amendment was made to minute 40/16 reason no. 3 to read '2 parking spaces per house, and two visitor spaces, are insufficient.' It was subsequently resolved for the Chairman to sign the minutes of the extraordinary Meeting held on Tuesday 9 August 2016 as a true record.

45/16 Public Participation

Mr M Whelan raised concern about the possible obstruction during development work at Lane House Barn of pedestrian and vehicular access to parish land which he rents. Cllr B Mansbridge advised that, despite Land Registry searches, ownership of the lane remained unclear. Cllr J Seddon advised that he understood the lane was a private street, for which all frontagers shared responsibility for maintenance and access. It was further noted that the Council had on file a copy of a letter asserting long standing rights of access over the parish land and therefore over the lane, and that that the Council had conveyed this information to SLDC in its response to the Change of Use application. It was confirmed that investigations into ownership of the lane would continue, and inquiries would be made of SLDC about what action could be taken if access was obstructed during development work. Mr Whelan expressed particular concern about possible obstruction caused by the erection of scaffolding during development work. Mr Smith expressed concern about the possible placing of scaffolding on his property, but Councillors felt that the latter would be a private matter. Councillors suggested that any access issues should be addressed with the developer as and when they arose.

Mr and Mrs R Jager expressed their strong opposition to planning application 7/2016/5561 at 1 Low Chambers. As neighbours, Mr Jager stated that they objected on the grounds of loss of light, that the development was unneighbourly and overbearing, and diminished view. Mr B Sykes, neighbour, expressed a specific objection to a proposed upper window on the first floor of the north side, which he stated would be intrusive and overbearing and impact on his privacy. Mrs A Bryan, applicant, explained that the extension was needed due to a current lack of privacy, lack of storage space and lack of bedroom capacity. She disagreed that the proposed extension would impact on Mr Sykes' privacy and

also disagreed that it would reduce light to Mr and Mrs Jager's property. She further stated that the latter's objections on the grounds of loss of view and disturbance during construction work were not valid grounds for objection. The views expressed on the proposed development were noted by the Council.

46/16 LDNPA Local Plan Review

It was agreed that the Council's priority was to produce a draft Community Led Plan (based on the data already gathered), which would inform the Council's response to the Local Plan Review. It was anticipated that the draft Plan would be completed by the next Council meeting on 2 November 2016, and that a copy of the Plan and any specific response re infrastructure issues would be submitted to LDNPA thereafter. It was noted that the gathering of evidence during the current stage of the Local Plan Review process would continue until September 2017.

47/16 Planning

Lake District National Park Authority

The following planning applications, updates and decisions were received and considered or noted:

(LDNPA applications, responses and decisions may be viewed online at <http://www.lakedistrict.gov.uk/swiftlg/apas/run/wphappcriteria.display>)

- i. 7/2016/5513 - Briggs House Farm, Helsington, Kendal - Conversion of barn into 5 dwellings. (Extension to deadline for comments granted to 8 September 2016).

No objection to the development of the site in principle, but the following comments were made:

- **Disappointment that an opportunity had been missed to include an affordable housing/local occupancy element in a development of this size;**
- **Concern about the pressure the development would put on an inadequate mains water supply;**
- **Concern about the increase in traffic on the access lanes to the dwellings.**

- ii. 7/2016/5544 - Kerswell, Brigsteer, Kendal - Garage conversion to accommodation annexe with garden kitchen extension and new build replacement double garage. **No objections or observations.**

- iii. 7/2016/5561 - 1 Low Chambers, Brigsteer, Kendal - Creation of first floor extension over existing garage comprising master bedroom and ensuite bathroom including projecting corner bay window.

In view of the submissions from neighbours who have raised concerns about and objections to the proposed development, the Council requests that the application is referred to Committee and a site visit undertaken prior to making a decision.

- iv. 7/2016/5515 – Crooked Gate, Brigsteer, Kendal – Outline – erection of a single detached 3 bedroom dwelling.

It was noted that this application was **Not Proceeded With/Not Determined**. The application would not be considered until required information had been received from the applicant.

South Lakeland District Council

(SLDC applications, responses and decisions may be viewed online at <http://applications.southlakeland.gov.uk/planningapplications/welcome.asp>):

- i. SL/2016/0824 - Prizet Filling Station, Helsington, Kendal - Construction of three two-storey office buildings together with associated carparking, landscaping and external works (resubmission SL/2012/0466).
No objection, but concern was expressed about flooding in the area which was known to be a recurrent problem.
- ii. SL/2016/0422 - Glenwood, Brigsteer, Kendal - Extension to porch with extension over.
Decision noted - Grant with Conditions.

- iii. SL/2016/0514 - Thurston, Brigsteer, Kendal - Single storey extension to front of dwelling with flat roof as extended balcony; addition of patio doors and rooflights to existing kitchen at first floor.

Decision noted - Grant with Conditions.

48/16 Parish Land To receive and consider updates regarding:

a) Registration of parish land. Cllr B Mansbridge advised that she had completed the forms re the registration of land at Crooked Gate, and confirmed that the registration fee would be £30.00. Cllr S Savasi agreed to check the forms and submit them to the Land Registry.

b) Parish land adjacent to Syke House near the Watering Place, Brigsteer.

Clerk reported that the Land Agent for the Levens Estate had requested a copy of the wording the Council intended to use in registering a caution on the land adjacent to Syke House. Cllr S Savasi agreed to investigate and supply a suitable form of wording.

c) Parish land lying to the south west of Low Barrow House, Low Lane, Brigsteer. Concerns regarding the impact of the approval of change of use application re Lane House Barn on access rights over lane had already been noted and addressed during public participation. It was confirmed that investigations would continue into ownership of the lane by searching other titles and plans of the area and, as contact details for the developer had been supplied, the latter could be approached with regard to ownership of/access over the lane.

d) Responsibilities of Councils as Landowners.

Clerk reported that CALC had advised that the Council should keep and maintain an asset register and that this should include an up-to-date value of assets including land holdings. It was noted that professional advice may be required with regard to asset valuation. Cllr B Mansbridge advised that parish land which had been registered had been valued at registration, and it was further noted that Jon Shaw had previously advised the Council re land valuation. It was suggested this information would be on record; Clerk agreed to investigate further.

e) There were no other matters regarding parish land.

49/16 Highways/Footpaths

It was noted that there had been no further progress with either signage or the provision of a speed indicator device on the hill into Brigsteer. A further complaint about the speed of vehicles at this location was received and noted.

LDNPA had requested information about any Public Rights of Way in their part of the parish which require maintenance. Cllr A Davies advised that he had already submitted a list of footpaths in need of signage. It was noted that the footpath at Sunny Hill needed work. Cllr Davies agreed to ask his email contacts for reports of footpaths in need of repair and to compile a list to convey to LDNPA.

50/16 Community Led Plan

It was reported that a meeting of the Working Group would be scheduled in order to produce a draft Plan before the next Council meeting.

51/16 Reports

a) Meetings attended

(i) LDNP Extensions Programme Board (notes of meeting on 29 June 2016 had been circulated previously). It was reported that there would probably be no need for any further meetings of the Programme Board;

(ii) An introductory meeting between the Parish Council and LDNPA officers had taken place on 29 July 2016;

(iii) Lyth & Witherslack Water Level Management Board had met with representatives of parish councils on 27 July 2016 (report circulated previously);

- b) Helsington Community Land Trust Ltd - it was reported that information had been posted on HCLT's website;
- c) Helsington & Brigsteer Village Hall - nothing to report;
- d) District Councillor A Rawlinson had advised that she would be donating £336 from her Locality Fund towards the purchase of a defibrillator to be situated outside the Wheatsheaf;
- e) County Councillor J Bland mentioned the need for volunteer First Responders in Brigsteer, but some concern was expressed about the responsibilities placed on First Responders.

52/16 NALC Community Led Housing Survey

It was agreed to delegate responsibility for completing this survey to the Community Led Plan Working Group. It was noted that the deadline for responses was 30 September 2016.

53/16 Direct Elections to CALC Executive Committee

It was agreed not to make a nomination to the CALC Executive Committee.

54/16 Clerk's Report and Correspondence

A number of items of correspondence had been received by email and circulated previously to members, including items from SLDC, LDNPA and CALC. Hard copies of Clerks and Councils Direct and SLDC's Empty Homes Guide for Parish and Town Councils respectively had also been received and were available to members.

Clerk reported the sad news of the death of Claire Marsh, SLDC's long serving Electoral Services Manager. It was agreed that the Clerk would convey condolences to SLDC. It was noted that there had been delays in processing and uploading Parish Declaration of Interest forms to SLDC's website. An email had been received the previous day advising that the forms had been uploaded to the site, but on checking this, Clerk had found many errors. Electoral Services had confirmed receipt of all councillors' Declarations of Interest and stated that the matter had been referred back to Democratic Services which was responsible for information on website. Clerk agreed to check again to ensure correct information was uploaded.

Clerk advised that a response from National Trust regarding recent incidents in which bullocks had caused damage to both the toposcope and cars parked in the parking area at St John's Church, Helsington. The National Trust had offered to install signage advising that cars are parked at owners' risk. It was also willing to repair the toposcope but advised that the top piece was missing. Cllr A Davies reported that the damaged part of the toposcope was with the donor who had paid for it originally who had agreed to arrange the repair.

Clerk advised that a response to the Transparency Fund application for £716.86 re laptop, software and Clerk's work to website was still awaited.

55/16 Training

The following training requests were approved:

- (i) CALC Good Councillor training on 12 September 2016 - Cllrs Richard Park and Kate Ritchie - £35.00 per person.
- (ii) CALC training for Certificate in Local Council Administration for Clerk - £158.00 (4 sessions commencing Autumn 2016).

56/16 South Lakeland Parish Remuneration Panel

(Copy letter had been circulated previously). It was resolved to request in writing that the Parish Remuneration Panel report and recommendations in relation to allowances and expenses for 2017/18 clarifies that Parish Council members may

claim Travel and Subsistence Expenses **without** the need for the Council to approve a Parish Basic Allowance. It was felt that the wording of last year's report caused confusion on this matter.

57/16 Finance

a) It was noted that the External Audit of the Annual Return for the year ended 31 March 2016 has been completed and the External Auditor certificate and report were received. There were no matters which required the issuing of a separate additional issues arising report. It was resolved to approve and accept the Council's Annual Return including the External Auditor certificate for the year ended 31 March 2016. It was further noted that the Annual Return and Notice of Conclusion of Audit had been published on the website and the notice board since 19 August 2016, and the requisite information was available for public access.

b) The following payments were authorised:

- i. Jane Saunders (Clerk's salary, September 2016, by SO) £273.70
- ii. Jane Saunders (Clerk's salary, October 2016, by SO) £273.70
- iii. Jane Saunders (Clerk's salary, additional hours & pay award adjustment) £377.86
- iv. Jane Saunders (Clerk's expenses, 1 July - 31 August 2016) £93.45
- v. Land Registry (registration of land at Crooked Gate) £30.00

c) A request from Crosthwaite School for a donation towards a new classroom was received and considered. It was resolved not to make a donation as there were currently no children from Helsington parish attending the school so a donation could not be justified as there would be no benefit to local residents.

58/16 Future meetings

Dates of future meetings were confirmed as Wednesday 2 November 2016, Wednesday 1 February 2017 and Wednesday 5 April 2017.

The meeting closed at 09.18pm.

Signed:
(Chairman)
Date: 2 November 2016